

MAY. 11. 2004 3:40PM 8587926773 FOLEY AND LARDNER



NO. 0532

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## FACSIMILE TRANSMISSION

Total # of Pages 17 (including this page)

TO:	PHONE #:	FAX #:
Examiner B. Bunner Group Art Unit: 1647 U.S. Patent and Trademark Office	571-272-0881	703-872-9306

From : Stephen E. Reiter S&V  
Email Address : sreiter@foley.com  
Sender's Direct Dial : 858.847.6711  
Date : May 11, 2004  
Client/Matter No : 088802-1852  
User ID No : 1877

### MESSAGE:

Re: U.S. Patent Application No. 09/155,252

Attached are:

- 1) Amendment Transmittal (3 pgs.)
- 2) Amendment and Reply Under 37 CFR 1.116 (13 pgs.)

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
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Atty. Dkt. No. SALK1470-2  
(088802-1852)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans and Forman

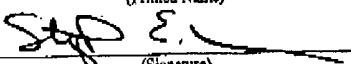
Title: METHOD OF TESTING  
COMPOUNDS FOR  
REGULATION OF  
TRANSCRIPTION OF  
PEROXISOME PROLIFERATOR-  
ACTIVATED RECEPTOR-  
GAMMA (as amended)

Appl. No.: 09/155,252

Filing Date: 09/21/1998

Examiner: B. Bunner

Art Unit: 1647

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>Stephen E. Reiter, Reg. No. 31,192</u> (Printed Name)	
 (Signature)	
<u>May 11, 2004</u> (Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

Assertion of Small Entity status is enclosed.

Applicants: Evans and Forman  
Application No. 09/155,252

Atty. Dkt. No. SALK1470-2  
(088802-1852)

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	13	- 26 =	0 x	\$18.00 =	\$0.00
Independent Claims:	7	- 9 =	0 x	\$86.00 =	\$0.00
		First presentation of any Multiple Dependent Claims:	+ \$290.00 =		\$0.00
			CLAIMS FEE TOTAL =		\$0.00

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$110.00	\$0.00
[ ] Extension for response filed within the second month:	\$420.00	\$0.00
[ ] Extension for response filed within the third month:	\$950.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,480.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,010.00	\$0.00
	EXTENSION FEE TOTAL:	\$0.00
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$0.00
[ X ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:	\$0.00

[ ] Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[ ] A check in the amount of \$0.00 is enclosed.

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NO. 0532 P. 4

Applicants: Evans and Forman  
Application No. 09/155,252

Atty. Dkt. No. SALK1470-2  
(088802-1852)

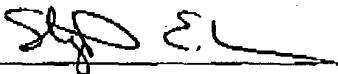
[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 5/11/04

By



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Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

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(088802-1852)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans and Forman

Title: METHOD OF TESTING  
COMPOUNDS FOR  
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Appl. No.: 09/155,252

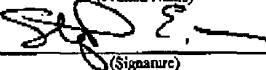
Filing Date: 09/21/1998

Examiner: B. Bunner

Art Unit: 1647

Conf. No. 8370

MAY 11 2004

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<i>Stephen E. Reiter</i> (Printed Name)	
 (Signature)	
May 11, 2004 (Date of Deposit)	

**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed April 5, 2004, please consider the following  
amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2  
of this communication.

**Remarks** begin on page 11 of this communication.